IN THE HIGH COURT OF UTTARANCHAL AT NAINITAL

Civil Writ Petition No. 190 of 2004 (S/B)

Devi Prasad Joshi ……..Petitioner

Versus

State of Uttaranchal & others …… Respondents

Mr. J.C. Joshi, Sr. Advocate assisted by Mr. Rajesh Kumar Sharma, learned counsel for the petitioenr.
Mr. K.P. Upadhyaya, learned Standing Counsel for the State.

Hon'ble P.C. Verma, A.C.J.
Hon'ble P.C. Pant, J.

This writ petition has been filed by the petitioner challenging the order of transfer dated 01.07.2004 (copy enclosed as annexure No. 4 to this writ petition).

Transfer is an exigency of the service. Petitioner has been transferred in exigency of service from Soban Singh Jeena Base Hospital, Haldwani, District Nainital to District Hospital Pithoragarh. Petitioner is a G.D.M.O / Anesthetician. His services are most essentially required in emergency case like operations etc. some malafide has been alleged in the writ petition but order of transfer appears to have been passed in the public interest.

We have scrutinized the allegation of malafide as alleged by the petitioner. In our opinion, malafide has no nexus with order of transfer as it comes out from the perusal of the writ petition.

We find no good ground to entertain the writ petition. The writ petition does not appear to be maintainable and is liable to be dismissed accordingly. No order as to costs.

(P.C. Pant, J.) **(P.C. Verma, A.C.J.)**

Dt. 07.07.2004
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